IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITON NO. 1350 OF 2004

Smita K. Joshi & Ors. .....

Petitioners

VERSUS

Brihanmumbai Municipal Corporation ...
Respondent

Mr. Manish Mistry instructed by M/s. M.P. Vashi & Associates for the Petitioners

Ms. A.K. Savla for the Respondent.

CORAM: DALVEER BHANDARI, C.J., &
DR. D.Y. CHANDRACHUD, J.

DATE: SEPTEMBER 14, 2004.

P.C.:-

1. We have heard the learned counsel for the parties.

2. This petition has been filed with a prayer that direction be issued to

the respondent to regularise the appointment of the petitioners, who were appointed as Assistant Teachers from 1996-97.

3. In response to the show-cause notice issued by the Court, the Deputy Education Officer has filed affidavit. In paragraph 5(b) of this affidavit, it is mentioned that a meeting was held on 29th June, 2000 in the chamber of the Municipal Commissioner. In the said meeting, the Commissioner took a decision that if within a period of three years from the appointment of the trained teachers on *ad hoc* basis, candidates belonging to the Reserved Category are not available, the condition for reservation would be relaxed and the services of the said teachers would be regularised. In the instant case, the petitioners were appointed some time in 1996-97 and in pursuance of the decision taken in the meeting on 29th June, 2000 by the Municipal Commissioner, the petitioners have to be regularised.

4. We direct the Municipal Commissioner to pass suitable orders in pursuance of the decision taken in the meeting on 29th June, 2000. Let the order be passed within eight weeks from today. Meanwhile, the appointments of the petitioners shall not be disturbed. No further directions are necessary. This petition is accordingly

disposed of.

CHIEF JUSTICE

DR.D.Y.CHANDRACHUD, J.